

Inventor(s): BILEK et al.

Appln. No.: 09

961,338

Series Code ↑

Serial No. ↑

Filed: September 25, 2001

Mail Stop AF

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

REPLY/AMENDMENT/LETTER

Date: July 7, 2003

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This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

- A. ☒ NOT made,
B. ☐ Withdrawn
C. ☐ made herewith
D. ☐ made previously

For B & C
See **Required**
Separate Paper
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	72	**minus 72 0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	9	***minus 9 0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters <u>proper</u> multiple dependent claim(s) into this application for <u>first</u> time (leave blank if this is a reissue application)		add	+ \$280/\$140 =	+ \$0	104/204
5. Original due Date:	<input checked="" type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$410/\$205 = \$930/\$465 = \$1,450/\$725 = \$1,970/\$985 =	+ \$0		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8.			Extension Fee	+ \$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55		+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c),	add	+ \$180		+ \$0	126
or if Rule 97(d) Request	add	+ \$180			126
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$750/370		+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b)		x \$750/375 ea		+ \$0	149/249
13. Request for Continued Examination (RCE)		+ \$750/375		+ \$0	1179/1279
14. Petition fee for Petition to Correct Inventorship (\$130) and Assignment Fee (\$40)				+ \$170	

TOTAL FEE = \$170

15.

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**PLEASE CHARGE
OUR DEP. ACCT**

Our Deposit Account No. 03-3975)

(Our Order No. 86166

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

P.O. Box 10500

McLean, VA 22102

Tel: (703) 905-2000

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Jeffrey D. Karceski

Sig:

Reg. No. 35914

Fax: (703) 905-2500

Tel: (703) 905-2110

Atty/Sec: JDK/SMW

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6
7-16-03
G. Cour

In re PATENT APPLICATION of:)

BILEK et al.)

Serial No.: 09/961,338)

Group Art Unit: 3747

Filing Date: September 25, 2001)

Examiner: Unknown

Title: MODULAR ENGINE FAMILY)

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* * * * *

July 7, 2003

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR § 1.48(a)

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the inventorship of the above-captioned application be amended to add **Norbert KORENJAK** as named inventor as is incorrectly stated on the executed §1.63 declaration and assignment, without any deceptive intention on his part.

As a result of this correction, the inventive entity will consist of **Andreas BILEK, Gerd OHRNBERGER, and Norbert KORENJAK.**

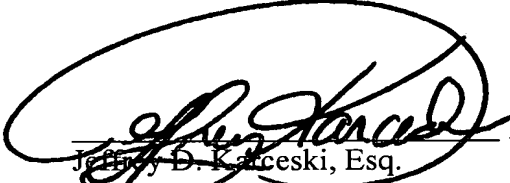
In accordance with the requirements of 37 CFR § 1.48(a), the following documents are attached hereto:

- (1) An affidavit from the inventor being added as an inventor averring that the error in inventorship occurred without deceptive intention on his part;
- (2) A supplemental declaration signed by all three inventors as required by 37 CFR §1.63; and
- (3) A written consent of the assignee.

As required by 37 CFR § 1.48(a)(4), this petition is accompanied by the requisite fee according to § 1.17(i). Should that fee be missing or inadequate, please charge the deficiency to our Deposit Account No. 03-3975, under Order No. 086166/265231 and proceed to consider this Petition to Correct Inventorship.

Respectfully submitted,

PILLSBURY WINTHROP LLP



Jeffrey D. Kateski, Esq.
Reg. No. 35,914
Tel: (703) 905-2110
Fax: (703) 905-2525

JDK/smw
Post Office Box 10500
McLean, VA 22102
(703) 905-2000



THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION OF:

BILEK et al.

Serial No.: 09/961,338

Filing Date: September 25, 2001

Title: MODULAR ENGINE FAMILY

Group Art Unit: 3747

Examiner: Unknown

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* * * * *

AFFIDAVIT OF MR. NORBERT KORENJAK

I, Norbert Korenjak, aver:

1. that I am an inventor of the above-identified patent application, relating to a modular engine family;
2. that I was inadvertently and without deceptive intent on my part excluded from inventorship of the this application when this application, the original declaration, and the original assignment were filed; and
3. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed true; and further that these statements were made with knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code and that such willful false statement may jeopardize the validity of this application or any patents issued from it.

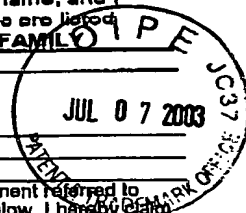
Signed this ____ day of 14 05 03, 2002, at Grand Rapids.
NORBERT KORENJAK

**CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS**

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED MODULAR ENGINE FAMILY**



The specification of which (CHECK applicable BOX(ES))
☒ A. ☐ is attached hereto.
☒ B. ☒ was filed on September 25, 2001 as U.S. Application No. 09/961,336
☒ C. ☐ was filed as PCT International Application No. PCT/ on

and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(e) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)
Number Country Day/MONTH/Year Filed

Day/MONTH/Year Filed

Date first laid open or Published

Date Patented or Granted

Priority NOT Claimed

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT International filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)
Application No. (series code/serial no.) Day/MONTH/Year Filed
 60/234,966 25 September 2000

Status Priority NOT Claimed
 pending, abandoned, patented, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, telephone number (703) 805-2000 (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 809 (see below label) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or an attorney of that firm in writing to the contrary.

**USE ONLY FOR
PILLSBURY WINTHROP**



00909

(Customer No. for communications)

(1) INVENTOR'S SIGNATURE: *[Signature]*

Date: 20.5.2003

Name	Andreas	BILEK	
First	Middle Initial	Family Name	
Residence	Wels	AUSTRIA	AUSTRIA
City	State/Foreign Country		Country of Citizenship
Mailing Address	Elbenstr. 64, Wels, Austria		
(include Zip Code)	4600		

(2) INVENTOR'S SIGNATURE: *[Signature]*

Date: 19.5.03

Name	Gerd	OHRNBERGER	
First	Middle Initial	Family Name	
Residence	Rutzenmoos	AUSTRIA	AUSTRIA
City	State/Foreign Country		Country of Citizenship
Mailing Address	Rutzenmoos 101, Austria		
(include Zip Code)	4846		

☒ FOR ADDITIONAL INVENTORS see attached page.

☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. P265231

(M#)

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DECLARATION AND POWER OF ATTORNEY

(continued)

ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Date:

14 05 03

Number 1

KORENJAK

First

Middle Initial

Family Name

Residence

Stadl Paura

AUSTRIA

AUSTRIA

City

State/Foreign Country

Country of Citizenship

Mailing Address

Kapellamweg 13, Stadl Paura, Austria

(include Zip Code)

A-4651

(4) INVENTOR'S SIGNATURE:

Date:

First

Middle Initial

Family Name

Residence

City

State/Foreign Country

Country of Citizenship

Mailing Address

(include Zip Code)

(5) INVENTOR'S SIGNATURE:

Date:

First

Middle Initial

Family Name

Residence

City

State/Foreign Country

Country of Citizenship

Mailing Address

(include Zip Code)

(6) INVENTOR'S SIGNATURE:

Date:

First

Middle Initial

Family Name

Residence

City

State/Foreign Country

Country of Citizenship

Mailing Address

(include Zip Code)

(7) INVENTOR'S SIGNATURE:

Date:

First

Middle Initial

Family Name

Residence

City

State/Foreign Country

Country of Citizenship

Mailing Address

(include Zip Code)

(8) INVENTOR'S SIGNATURE:

Date:

First

Middle Initial

Family Name

Residence

City

State/Foreign Country

Country of Citizenship

Mailing Address

(include Zip Code)

(9) INVENTOR'S SIGNATURE:

Date:

First

Middle Initial

Family Name

Residence

City

State/Foreign Country

Country of Citizenship

Mailing Address

(include Zip Code)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF:

BILEK et al.

Serial No.: 09/961,338

Filing Date: September 25, 2001

Title: MODULAR ENGINE FAMILY

Group Art Unit: 3747

Examiner: Unknown

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WRITTEN CONSENT OF ASSIGNEE UNDER 37 CFR § 1.48(a)(5)

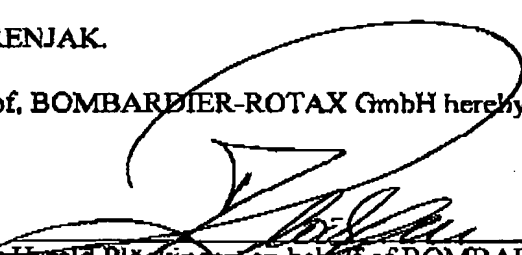
Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

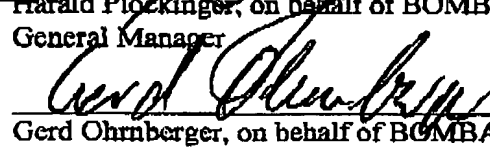
BOMBARDIER-ROTAX GmbH is the owner by Assignment submitted to the USPTO on September 25, 2001 of the above-captioned U.S. patent application (Reel 12201, Frame 0227) and by the supplemental Assignment attached hereto. BOMBARDIER-ROTAX GmbH is aware that (a) the application, original declaration, and original assignment incorrectly omitted NORBERT KORENJAK from the inventorship, (b) this error occurred without any deceptive intent on the part of the omitted inventor, (c) this statement is to be filed with a Petition to Correct Inventorship in order to add one inventor to the inventive entity such that the inventive entity includes ANDREAS BILEK, GERD OHRNBERGER, and NORBERT KORENJAK.

In view thereof, BOMBARDIER-ROTAX GmbH hereby consents to such change of inventorship.

Date: 11.6.03


Harald Plöckinger, on behalf of BOMBARDIER-ROTAX GmbH
General Manager

Date: 11.6.03


Gerd Ohrnberger, on behalf of BOMBARDIER-ROTAX GmbH
Vice President, Product Development